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February 2, 2007

VIA E-FILING

The Honorable Gregory M. Sleet
United States District Court
Federal Building
844 North King Street
Wilmington, DE 19801

Re: *Merck & Co., Inc. v. Apotex, Inc.*
C.A. No. 06-230

Dear Judge Sleet:

This is to request that Merck's Motion To Stay Further Discovery Pending Resolution Of Its Motion To Dismiss For Lack Of Subject Matter Jurisdiction (D.I. 61), filed on February 1, 2007, be considered withdrawn.

Respectfully,

/s/ Mary B. Graham

Mary B. Graham (#2256)

MBG/dam

cc: Louise Walsh, Esquire (via e-mail)
Richard L. Horwitz, Esquire (via e-mail)
Nicolas G. Barzoukas, Esquire (via e-mail)
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